

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

NORFOLK SOUTHERN RAILWAY)	
COMPANY,)	
)	
Plaintiff,)	Civil Action No. 11-1350
)	
v.)	Judge Cathy Bissoon
)	
PENNSYLVANIA PUBLIC UTILITY)	
COMMISSION, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Consistent with the discussions at today’s Conference, and through an exercise of the Court’s inherent authority, this case hereby is **STAYED** pending resolution of the related administrative proceedings before the Pennsylvania Public Utility Commission. *See Rice v. Astrue*, 2010 WL 3607474, *2 (D. S.C. Sept. 9, 2010) (“a federal court has the inherent power to stay, *sua sponte*, an action before it,” “pending resolution of independent proceedings [that] bear upon the case”) (citations and internal quotations omitted). For the duration of the stay, this case is and shall remain **ADMINISTRATIVELY CLOSED**. Administrative closings comprise a familiar way in which courts remove cases from their active files without final adjudication. *Penn West Assocs., Inc. v. Cohen*, 371 F.3d 118, 127 (3d Cir. 2004) (citation and internal quotations omitted). Administrative closure is a docket control device used by the Court for statistical purposes, and it does not prejudice the rights of the parties in any manner. *Honig v. Comcast of Georgia I, LLC*, 537 F. Supp.2d 1277, 1290 n.8 (N.D. Ga. 2008).

As and when appropriate, Plaintiff or Defendants may restore this action to the Court's active calendar upon application or by motion. *See* In re Arbitration Between Philadelphia Elec. Co. v. Nuclear Elec. Ins., Ltd., 845 F. Supp. 1026, 1028 (S.D.N.Y. 1994) (holding same).

IT IS SO ORDERED.

April 13, 2012

s/Cathy Bissoon

Cathy Bissoon

United States District Judge

cc (via ECF email notification):

All Counsel of Record